

*United States Attorney  
Southern District of New York*

November 3, 2019

**BY ECF**

Honorable Edgardo Ramos  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Mark S. Scott*, S10 17 Cr. 630 (ER)**

Dear Judge Ramos:

The Government respectfully submits this letter in response to the defendant's motion for reconsideration, dated October 31, 2019. (Dkt. No. 168). At this time, the Government has not made a final decision as to whether it will offer the particular portions of Scott's post-arrest statement that are referenced in the defendant's reconsideration motion. The Government's decision will be based in part on what evidence is admitted during the course of the trial. Further, the Government anticipates that it will offer any relevant portions of Scott's post-arrest statement towards the conclusion of its case-in-chief. Therefore, since the issue may ultimately be mooted, the Government respectfully requests that the Court defer ruling on the defendant's reconsideration motion until an appropriate juncture later in the trial. The Government will update the Court and defense counsel promptly when it makes a final decision as to what portions of the defendant's post-arrest statement it will seek to offer at trial.

Respectfully submitted,

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by: /s/  
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cc: Defense counsel (by electronic mail)